LEONARD K. WELSH, CSB NO. 097954 1 LAW OFFICES OF LEONARD K WELSH 4550 California Avenue, Second Floor 2 UNITED STATES BANKRUPTCY COURT Bakersfield, California 93309 SAN FRANCISCO, CA 3 Telephone: (661) 328-5328 Email: lwelsh@lkwelshlaw.com 4 Attorneys for GLORIA RUCKMAN; ROBERT RUCKMAN; 5 a minor by and through his guardian ad litem ROBERT RUCKMAN; ROBERT RUCKMAN; AMALIA LEAL; and GILARDO LEAL 6 UNITED STATES BANKRUPTCY COURT 7 NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION 8 In re: Case No. 19-30088-DM 9 Chapter 11 10 PG&E CORPORATION, RS No. LKW-001 11 and Date: November 19, 2019 Time: 10:00 a.m. 12 PACIFIC GAS & ELECTRIC COMPANY, Place: 450 Golden Gate Avenue, 16th Floor San Francisco, CA 13 Debtors. Judge: Honorable Dennis Montali 14 [] Affects PG&E Corporation [] Affects Pacific Gas & Electric Company 15 [X] Affects both Debtors Objection Deadline: November 14, 2019 16 Time: 4:00 p.m. (Pacific Time) *All papers shall be filed in the Lead Case 17 No. 19-30088 (DM) 18 EXHIBITS TO MOTION TO ABSTAIN AND FOR RELIEF FROM AUTOMATIC 19 STAY TO PERMIT LAWSUIT TO PROCEED TO TRIAL AND CONCLUSION 20 **INDEX** PAGE NO. 21 EXHIBIT A – Voluntary Petition for Non-Individuals Filing for Bankruptcy filed by Pacific Gas & Electric Company on January 29, 2019 ... 3-9 22 23

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EXHIBIT B – Voluntary Petition for Non-Individuals Filing for Bankruptcy

EXHIBIT D – Minute Order entered by the Kern County Superior Court on

EXHIBIT C – Third Amended Complaint – Personal Injury filed by

24

25

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filed by PG&E Corporation on January 29, 2019

Plaintiffs on March 7, 2017

February 6, 2019

10-17

18-28

29-31

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1	EXHIBITE – Minute Order entered by Ke	rn County Superior Court
2	2 On September 4, 2018	
3	Date: October 23, 2019	LAW OFFICES OF LEONARD K. WELSH
4	4	12/1/00
5	5	Ry: /s/ Leonard K Welsh
6	6	By: /s/ Leonard K. Welsh LEONARD K. WELSH Attorneys for Plaintiffs
7	7	Attorneys for Plaintiffs
8	8	
9	9	
10	10	
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ill in	this informati	on to identify the case	•	1		
Inite	d States Ban	kruptcy Court for the				
orth	ern District o	f California				
ase	number (<i>If kno</i>	wn):	Chapter 11	·		
		201		J		Check if this is ended filing
	fficial Fo olunta		for Non-Individu	als Filing for I	Bankruptcy	04/16
15		anded attends a sonat	ate sheet to this form. On the top of a ate document, <i>instructions</i> for Bankr	any additional pages, write th	e debtor's name and the cas	e number (if
1.	Debtor's na	ıme	Pacific Gas and Electric Compan	у		
2.		ames debtor used				
		ssumed names, trade loing business as				
	names					
3.		deral Employer on Number (EIN)	94-0742640			
4.	Debtor's	Principal place of	business	Mailing address, if	different from principal plac	e of business
		77	Beale Street			
		Number	Street	Number	Street	
	•	P.O. Box 770000		P.O. Box		
		San Francisco	California 94177			
		City	State ZIP Code	City	State ZIP	Code
				Location of principle of business	pal assets, if different from p	orincipal place
		San Francisco				
		County		Number	Street	
	•					
				City	State ZIP	Code
5.	Debtor's w	ebsite (URL)	http://www.pge.com			
c	Type of de	, htor		ability Company (LLC) and Lim	iled Liability Partnership (LLP))
6,	i Aba oi ga	J-SW1	☐ Partnership (excluding LLP)			

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Voluntary Petition for Non-Individuals Filing for Bankruptcy

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10. Are any bankruptcy cases pending or being filed by a business partner or an

> List all cases. If more than 1, attach a separate list.

When

Case number

MM / DD/ YYYY

affiliate of the debtor?

If more than 2 cases, attach a

separate list.

□ No

Yes

District

District

Debtor

Relationship

When

Case number, if known

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Voluntary Petition for Non-Individuals Filing for Bankruptcy

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btor	Pacific Gas and Electric Com	pany			ase number (if known)	
	Name						
	Why is the case filed in this district?	Ch	eck all that apply:				
		⊠	Debtor has had its domicile, immediately preceding the d	ate of this petition or	for a longer	part of such 180	days than in any other distri
		Ø	A bankruptcy case concernia	ng debtor's affiliate, g	eneral partn	er, or partnership	is pending in this district.
ŗ	oes the debtor own or have ossession of any real		No Yes. Answer below for each	are notice that ponds is	mmodiale et	taollon. Attach a	riditional sheets if needed
	roperty or personal property hat needs immediate	П	Why does the propert				
-	ttention?		☐ It poses or is allege				
4.1.3.1.4			health or safety.	d to pose a timest of	manman an		.a.c (6 parint
	•			?			
			☐ It needs to be phys				
			without attention (f securities-related a	ole goods or assels to or example, livestock ssets or other option	, seasonal g s).	joods, meat, dair	y, produce, or
			☐ Other				
			G Office				
			Where is the property?			<u></u>	
				Number	Street		
						State	ZIP Code
				Number		State	
			Where is the property?	Number		State	
			Where is the property?	Number	Street	State	
			Where is the property?	Number City No Yes, Insurar	Street		

Statistical and administrative information

13.	Debtor's estimation of
	available funds

Check one:

1-49

- Funds will be available for distribution to unsecured creditors. \boxtimes
- After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.
- 14. Estimated number of

- 1,000-5,000
- 25,001-50,000

- creditors
- 50-99
- 5,001-10,000.
- ՛⊠ 50,001-100,000

- (on a consolidated basis)
- 100-199 200-999

- 10,001-25,000
- More than 100,000

- 15. Estimated assets (on a consolldated net
- \$0-\$50,000 \$50,001-\$100,000
- \$1,000,001-\$10 million \Box \$10,000,001-\$50 million
- \$500,000,001-\$1 billion \$1,000,000,001-\$10 billion

- book value basis)
- \$100,001-\$500,000 \$500,001-\$1 million
- \$50,000,001-\$100 million \$100,000,001-\$500 million
- \$10,000,000,001-\$50 billion More than \$50 billion

- 16, Estimated liabilities (on a consolidated net
- \$0-\$50,000 \$50,001-\$100,000 \$100,001-\$500,000
- \$1,000,001-\$10 million \$10,000,001-\$50 million
- \$500,000,001-\$1 billion \$1,000,000,001-\$10 billion \$10,000,000,001-\$50 billion

- book value basis) \$500,001-\$1 million
- \$50,000,001-\$100 million ☐ \$100,000,001-\$500 million
- More than \$50 billion

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Voluntary Petition for Non-Individuals Filing for Bankruptcy

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	Case	nedmber	(ğ	known)	_	 	 	_
Casa number (# known)								



Request for Relief, Declaration, and Signatures

WARNING — Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

18. Signature of attorney

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- " I have been euthorized to file this pelliton on behalf of the debtor.
 - I have examined the information in this petition and have a reasonable belief that the information is true and correct.

i declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/29/19 MM/ OD / YYYY

Jζ	David Shimasura		David S. 1	'homason	
	Signature of authorized representative	of	Printed nan		
	qeptor			•	
	Chief Financial Officer				
	Title				
				**	
	Chalcon (Ma				
۲	- Turnin V. OV		Date _ O	1/29/19	
	Signature of alterney for debtor		MM	/ DO / YYYY	
	Tobies S. Keller				
	Printed Name				
	Keller & Benvenutif LLP				
	Firm Name				
	650 California Street, Suite 1900				
	Number Street		•	-	
	San Francisco	California	a .	94108	
	City	Slale	 	ZIP Code	
	•				
	(415) 496-6723	lkoller@k	cellerbenven	utti.com	
	Contact phone	Email add	re88		
	#151445	California	3		

State

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Voluntary Patition for Non-Individuals Filling for Bankruptcy

Bar Number

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Citt (= stale) - to stale so identify the name.
Fill in this information to identify the case:
Debtor name: Pacific Gas and Electric Company
United States Bankruptcy Court for the: Northern District of California
Case number (If known):

Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11

1. If any of the debtor's securities are of 1934, the SEC file number is 1-2348	registered under Section 12 of the Securities Exchange Act
2. The following financial data is the condition (on a consolidated net book value basis) on Septhe quarterly period that ended September 30, 2018:	latest available information and refers to the debtor's tember 30, 2018 as reflected in the debtor's Form 10-Q for
a. Total assets	\$71,196,000,000
b. Total debts (including debts listed in 2.c., below)	\$ <u>51,411,000,000</u>
c. Debt securities held by more than 500 holders	
	Approximate number of holder
secured unsecured subordinated secured unsecured subordinated unsecured subordinated secured unsecured subordinated secured unsecured subordinated subordinated	\$ <u>See Schedule 2</u> \$ \$ \$ \$
d. Number of shares of preferred stock	\$145 million of shares of nonredeemable preferred stock with interest rates between 5% to 6% and \$113 million of shares of redeemable preferred stock with interest rates between 4.36% and 5%; all outstanding preferred stock has a \$25 par value.
e. Number of shares common stock	264,374,809 shares (all held by PG&E Corporation).
Comments, if any:	
	ectric power generation, transmission, and distribution.
	or indirectly owns, controls, or holds, with power to vote, 5% or more
are owned by PG&E Corporation ("PG& 1995, whose primary operating subsidiar	es of common stock of Pacific Gas and Electric Company (the "Utility"). E Corp."), a holding company, incorporated in the State of California in y is the Utility. PG&E Corp. became the holding company of the Utility ary 1, 2018, there were 53,878 record holders of PG&E Corporation w York Stock Exchange and is traded under the symbol "PCG".

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Schedule 1 - Pending Bankruptcy Cases Filed by the Debtor and Affiliates of the Debtor

On April 6, 2001, Pacific Gas and Electric Company (the "Utility") filed a voluntary case under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of California (the "Court") which was assigned Case No. 01-30923 DM (the "2001 Case"). As of the date hereof, the 2001 Case remains open and pending before the Court.

In addition, on the date hereof, the Utility and PG&E Corporation ("PG&E Corp." and, together with the Utility, the "Debtors") each filed with the Court a voluntary petition for relief under chapter 11 of the Bankruptcy Code. A motion will be filed with the Court requesting that the chapter 11 cases of the Utility and PG&E Corp. be consolidated for procedural purposes only and jointly administered, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure.

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Schedule 2 - Debtor's Debt Securities

The following financial data is the latest available information and refers to the Debtor's financial condition as of January 10, 2019:

Туре	Maturity	Principal Amount	Approximate Number of
		Outstanding	Holders
Term Loan	February 22, 2019	\$250,000,000	unknown
Revolving Credit Facility	April 27, 2022	\$2,885,000,000	unknown
4,25% Notes due 2023	August 1, 2023	\$500,000,000	unknown
4.65% Notes due 2028	August 1, 2028	\$300,000,000	unknown
6.05% Notes due 2034	March 1, 2034	\$3,000,000,000	unknown
5.80% Notes due 2037	March 1, 2037	\$950,000,000	unknown
6.35% Notes due 2038	February 15, 2038	\$400,000,000	unknown
6.25% Notes due 2039	March 1, 2039	\$550,000,000	unknown
5.40% Notes due 2040	January 15, 2040	\$800,000,000	unknown
3.50% Notes due 2020	October 1, 2020	\$800,000,000	unknown
4.25% Notes due 2021	May 15, 2021	\$300,000,000	unknown
3.25% Notes due 2021	September 15, 2021	\$250,000,000	unknown
4.50% Notes due 2041	December 15, 2041	\$250,000,000	unknown
4.45% Notes due 2042	April 15, 2042	\$400,000,000	unknown
3.75% Notes due 2042	August 15, 2042	\$350,000,000	unknown
2.45% Notes due 2022	August 15, 2022	\$400,000,000	unknown
3.25% Notes due 2023	June 15, 2023	\$375,000,000	unknown
4.60% Notes due 2043	June 15, 2043	\$375,000,000	unknown
3.85% Notes due 2023	November 15, 2023	\$300,000,000	unknown
5.125% Notes due 2043	November 15, 2043	\$500,000,000	unknown
3.75% Notes due 2024	February 15, 2024	\$450,000,000	unknown
4,75% Notes due 2044	February 15, 2044	\$675,000,000	unknown
3.40% Notes due 2024	August 15, 2024	\$350,000,000	unknown
4.30% Notes due 2045	March 15, 2045	\$600,000,000	unknown
3.50% Notes due 2025	June 15, 2025	\$600,000,000	unknown
4.25% Notes due 2046	March 15, 2046	\$450,000,000	unknown
2.95% Notes due 2026	March 1, 2026	\$600,000,000	unknown
4.00% Notes due 2046	December 1, 2046	\$600,000,000	unknown
3.30% Notes due 2027	March 15, 2027	\$400,000,000	unknown
3.30% Notes due 2027	December 1, 2027	\$1,150,000,000	unknown
3.95% Notes due 2047	December 1, 2047	\$850,000,000	unknown
Series 2008 F	November 1, 2026	\$50,000,000	unknown
Pollution Control Revenue			
Bonds			
Series 2010 E Pollution Control Revenue	November 1, 2026	\$50,000,000	unknown
Bonds	<u> </u>		

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Pacific Gas and Electric Company Name

Series 2009 A	November 1, 2026	\$74,275,000	unknown
Pollution Control Revenue			
Bonds			
.Series 2009 B	November 1, 2026	\$74,275,000	unknown
Pollution Control Revenue			•
Bonds			
Series 1996 F	November 1, 2026	\$100,000,000	unknown
Pollution Control Revenue			
Bonds			
Series 1996 C	November 1, 2026	\$200,000,000	unknown
Pollution Control Revenue			
Bonds			
Series 1996 E	November 1, 2026	\$165,000,000	unknown
Pollution Control Revenue			
Bonds			
Series 1997 B	November 1, 2026	\$148,550,000	unknown
Pollution Control Revenue			
Bonds			<u></u>

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Voluntary Petition for Non-Individuals Filing for Bankruptcy

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in this information to	identify the ca	se .			
ited States Bankrup	cy Court for th	e:			
rthern District of Cal	ifornia				
se number (If known);		Chapter 11			
Official Form 201 /oluntary Petition for Non-Individuals Filing for Bankruptcy more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case mown). For more information, a separate document, instructions for Bankruptcy Forms for Non-Individuals, is available. Debtor's name PG&E Corporation All other names debtor used in the last 8 years Include any assumed names, trade names, and doing business as names Debtor's federal Employer Identification Number (EIN) 94-3234914	0 0 000				
					 Check if this an amended filing
Official Forms	204				
Jiliciai Form	201				
Voluntary	Petitio	n for Non-Individu	als Filing for	Bankrupto	y 04/10
more space is needs	d, attach a sepa	arate sheet to this form. On the top of	any additional pages, write	the debtor's name and	the case number
nown). For more into	ятакоп, а вера	rate document, instructions for Bankr	uptcy Forms for Non-Indivi	duals, is available.	
. Debtor's name		PG&E Corporation		,	
. All other names	debtor used				
	business as				
		04.3234044			
adminouson rec	mber (Em)	<u>54-32345 (4</u>			
	incipal place of	business	Mailing address,	if different from princip	al place of busin
			Number	Street	
<u>P.</u>	O, Box 770000)	0.0.0		
			P.O. BOX		
			. Oli		
On	,	State ZIP Code	•		
					from principal pla
Col	anty.		Number	Street	
					٠.
			City	State	ZIP Code
Debtor's website	(URL)	http://www.pgecorp.com	,		
•				ı	
Type of debtor		☑ Corporation (including Limited Liab	lity Company (LLC) and Limi	ited Liability Partnership	(LLP))
P 54					

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PG&E Corporation	Case number (if known)	Partition
Name		



Request for Relief, Declaration, and Signatures

WARNING - Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or Imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

01/29/19 Executed on MM/ DD /YYYY

Signature of authorized representative of

Jason P. Wells

Printed name

Senior Vice President and Chief Financial Officer

30

18, Signature of attorney

Lohus	<u> </u>	len

Signature of attorney for debtor

Toblas S. Keller

Printed Name

Keller & Benvenulli LLP

Firm Name

650 California Street, Sulte 1900

Number

Street

San Francisco City

California

94108

Slate

ZIP Code

(415) 496-6723

Contact phone

lkeller@kellerbenvenutil.com

Email address

#151445

California

Bar Number

Slale

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PG&E Corpor	ation
I wan adipor	411011

Name

Case number (if known)

Deblor name: PG&E Corporation
United States Bankruptcy Court for the: Northern District of California
Case number (If known):

Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11

1.		•		registered under Sect	ion 12 of the Securities Exchange Act
of 1934, t	he SEC file numb	per is	1-12609	The second state of the se	
	The (on a consolidate rly period that en	d net book va	alue basis) on Sep	latest available inforn tember 30, 2018 as re	nation and refers to the debtor's effected in the debtor's Form 10-Q for
a.	Total assets			\$ <u>71,385,000,000</u>	
b.	Total debts (includ	ing debts listed	in 2.c., below)	\$ <u>51,689,000.000</u>	•
c,	Debt securities held	d by more than :	500 holders		
					Approximate number of holder
	secured Secured	unsecured unsecu	subordinated subor	\$ <u>See Schedule 2</u> \$ \$ \$	
d. e.	Number of shares of Number of shares of		· ·	No shares outstanding 518,674,276 shares	5
Co	mments, if any:		·		
3,	Brief er generation, transn	description of d	lebtor's business: <u>Ho</u> ribution.	lding company whose pri	mary operating subsidiary's business is
directly or in	securities of debtor	: Based on publ ol, or hold, with	icly filed and availab	le information, the debtor	ols, or holds, with power to vote, 5% or more understands that the following persons ities of the debtor: Blackrock, Inc., T. Rowe

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Voluntary Petition for Non-Individuals Filing for Bankruptcy

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Schedule 1 - Pending Bankruptcy Cases Filed by the Debtor and Affiliates of the Debtor

On April 6, 2001, Pacific Gas and Electric Company (the "Utility") filed a voluntary case under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of California (the "Court") which was assigned Case No. 01-30923 DM (the "2001 Case"). As of the date hereof, the 2001 Case remains open and pending before the Court.

In addition, on the date hereof, the Utility and PG&E Corporation ("PG&E Corp." and, together with the Utility, the "Debtors") each filed with the Court a voluntary petition for relief under chapter 11 of the Bankruptcy Code. A motion will be filed with the Court requesting that the chapter 11 cases of the Utility and PG&E Corp. be consolidated for procedural purposes only and jointly administered, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure.

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Schedule 2 - Debtor's Debt Securities

The following financial data is the latest available information and refers to the Debtor's financial condition as of December 30, 2018:

Туре	Maturity	Principal Amount Outstanding	Approximate Number of Holders
Revolving Credit Facility	April 27, 2022	\$300,000,000	16
Term Loan	April 16, 2020	\$350,000,000	3

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	(*)_	PLD-Pl-001
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Ber number, and endress)		FOR COURT USE ONLY
DANIEL RODRIGUEZ, ESQ: SBN 96625 JOEL ANDREESEN, ESQ. SBN 155254		
CHANTAL TRUJILLO, ESQ. SBN 289493		
RODRIGUEZ & ASSOCIATES 2020 EYE STREET, BAKERSFIELD, CA 93301		
TELEPHONE NO: 661-323-1400 FAX NO (Optional)		
E-ALAIL ADDRESS (Optional)		FILEDOLITANIMISION
ATTORNEY FOR (Name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN		SUPERIOR COURT, METROPOLITAN DIVISION COUNTY OF KERN
STREET ADDRESS: 1415 TRUXTUN AVENUE		
MAILING ADDRESS 1415 TRUXTUN AVENUE		MAR - 7 2017
CITY AND ZIP CODE. BAKERSFIELD 93301 BRANCH NAME METROPOLITAN DIVISION - UNLIMITED CIVIL		TERRY MCNALLY, CLERK
PLAINTIFF: GLORIA RUCKMAN, ROBERT RUCKMAN, ROBERT RUCKMAN, a minor	by and	
through his guardian ad litem, ROBERT RUCKMAN, AMALIA LEAL, and GILDARDO LEAL		BY
DEFENDANT: BIG N DEEP AG DEVELOPMENT CO., JEFF ALEXANDER FARMING, JEFF	FREY	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPRISES,	INC.	
WILDWOOD FARMS LLC and		
X DOES 1 TO 100.		
COMPLAINT—Personal Injury, Property Damage, Wrongful Death X AMENDED (Number): THRD		
Type (check all that apply):		- Private
MOTOR VEHICLE X OTHER (specify): STRICT LIABILITY		Annania
X Property Damage Wrongful Death X Personal Injury X Other Damages (specify): Negligent Infli	iction of	
X Personal Injury X Other Damages (specify): Negligent Infle Emotional Distress, Loss of Consortium, Premises Liability		
Jurisdiction (check all that apply):		CASE NUMBER:
ACTION IS A LIMITED CIVIL CASE		BCV-15-101699-SPC
Amount demanded does not exceed \$10,000 exceeds \$10,000, but does not exceed \$25,0	000	BCA-12101033 212
X ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)		
ACTION IS RECLASSIFIED by this amended complaint from limited to unlimited		
)0700107007		the addition popert
Plaintiff (name or names): GLORIA RUCKMAN, ROBERT RUCKMAN	MAN, a minor by	y and through his guardidit ad meint, KOODKT
RUCKMAN, AMALIA LEAL, and GILDARDO LEAL	COULO PARNET	CO TEFF ALEXANDER FARMING, JEFFREY
alleges causes of action against defendant (name or names): BIG N DEEP ACTION ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPH ALEXANDER, INDIVIDUAL COMPANY, AG-WISE ENTERPH ALEXANDER, INDIVIDUAL COMPANY, AG-WISE ENTERPH ALEXANDER, INDIVIDUAL COMPANY, AG-WISE ENTERPH ALEXANDER, AG-W	RISES, INC , WII ther of pages:	LDWOODFARMS LLC and DOESF TO 100
2. This pleading, including attachments and exhibits, consists of the formal	(Ba) 4/ F-3	
Each plaintiff named above is a competent adult a. X except plaintiff (name): Robert Ruckman		
(1) a corporation qualified to do business in California		
(2) an unincorporated entity (describe):		
(3) a public entity (describe)	•	
(4) X a minor an adult (a) for whom a guardian or conservator of the estate or a guardia	an ad litem ha	s been appointed
(a) for whom a guardian of conservator of the state		
(5) other (specify):		
b. except plaintiff (name):		
(1) a corporation qualified to do business in California (2) an unincorporated entity (describe):		
(3) a public entity (describe):		
1	an ad litem ha	s heen appointed
(4) a minor an adult (a) for whom a guardian or conservator of the estate or a guardian	All Ad Memory	er C
(b) other (specify):		
(5) other (specify):	Strangers	10
Information about additional plaintiffs who are not competent adults is sh	hown in Attach	nment 3. Page t at 3
	roperty	Legal Code of CAR Plocadora 4 425 12
Least Concil (California Property Concil California Property Califo	d: 10/28/1	Solutions: 19.9520839Page:18
Case 19-30088 Claim 254 Part 2 File 19/07/19 De	esc Attach	mem:18:39agePrgc118

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	RT TITLE: RUCKMAN, al.	et al.	v. I	BIG	N	DEEP	AG	DEVELOPMEN	IT CO.,	CASE NUMBER: BCV-15-10	1699-SPC
4. [Plainliff (name): is doing business u	inder the fic	titious	name	(sp	pecify):	-		***************************************		
	and has complied v	with the fictit	ious b	usine	55 F	name la	Ws.				• •
5,	Each defendant named a. X except defend DEVELOPMENT C	iant (name).		-		ep ag		,	pt delendar IC COMPA	nt(name):PACIF ANY	IC GAS &
	(2) a corporal	s organizati tion rporated en				wn		(2) X a	corporation	rganization, form u rated entity (descr	
	(4) a public e	ntity <i>(descri</i>	be):					(4) 🔲 a	public enlity	y (describe):	
	(5) other (spe	acify):						(5) <u>o</u>	ther (specif)	y):	
	b. X except defen	idant (name): JE	FF .	ALI	EXANI	ER		ept defenda RISES,	nnt (name): AG-V INC.	/ISE
	(2) a corpora	es organizati ition orporated er				wn		(2) X a	corporation	rganization, form t n prated entity (descr	
	(4) a public e	entity (descri	ibe):					(4) [] a	public entit	y (describe):	
	(5) other (spe	ecify):						(5) 0	ther (specif	ý):	
	X Information abou	ıt additional	defend	dants	wh	o are no	ot nat	ural persons is co	ontained in A	Altachmenl 5.	
6.	The true names of defaa. X Doe defendar	nts (specify	Doe ni	umbe.	rs),	1-10	0,	plaintiff, inclusive agency or emplo		agents or employ	ees of other
		nts (specify	Doe ni	umbe	នេ):	1-10	0,	inclusive	are pers	ons whose capacil	ies are unknown to
7.	plaintiff. Defendants who	are joined u	ınder C	Code	of C	Civil Pro	cedur	e section 382 are	e (names):		
8.	This court is the prope a. X at least one ob. X the principal c. X injury to pers d. other (specify	defendant no place of bus on or dama	ow resi iness	of a d	lefe	ndani c	orpor	ation or unincorp	orated asso ctional area	ciation is in its juri:	sdictional area
9.	Plaintiff is require a. has complled b. is excused from	l with applic	able cl	aims	stat	luies, o		n di Meraka Meraka	A Control of the Cont		and the second of
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SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG DEVELOPMENT CO	. , CASE NUMBER:
et al.	BCA-12-101933-25.C
10. The following causes of action are attached and the statements above apply to each (each causes of action attached): a. Motor Vehicle	h complaint must have one or more
b. X General Negligence c. Intentional Tort	de all some en le como su sus sus sus sus sus sus sus sus sus
d. Products Liability e. X Premises Liability f, X Other (specify): STRICT LIABILITY	
11. Plaintiff has suffered a. x wage loss b. loss of use of property c. x hospital and medical expenses d. x general damage	
e. X property damage f. X loss of earning capacity g. X other damage (specify): Negligent Infliction of Emotional Consortium.	Distress and Loss of
12. The damages claimed for wrongful death and the relationships of plaintiff to the d a. listed in Attachment 12. b. as follows:	deceased are
13. The relief sought in this complaint is within the jurisdiction of this court.	
14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable a. (1) x compensatory damages (2) x punitive damages The amount of damages is (in cases for personal injury or wrongful death, you must (1) x according to proof (2) in the amount of: \$	
15. X The paragraphs of this complaint alleged on information and belief are as follows Paragraphs 5 and 6. At all times herein mentioned, each of the Defendants was the agent, servant, em and/or joint venturer of each of the remaining Defendants named herein and were at all times operati agency, service, employment, partnership, conspiracy, alter ego and/or joint venture	
en e	
Date: March 7, 2017	(000)
Chantal A. Truiillo, Esq.	GNATURE OF PLAINTIFF OR ATTORNEY)
Chantal A. Trujillo, Esq. (SI	Page 3 o

PLD-PI-001 [Rev. January 1, 2007]





MC-025

SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG - DEVELOPMENT CO., et al.

CASE NUMBER: BCV-15-101699

ATTACHMENT (Number): 5

(This Attachment may be used with any Judicial Council form.)

Each defendant named above is a natural person except DEFENDANT WILDWOOD FARMS LLC, a corporation.

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(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 4 of 11 (Add pages as required)

Form Approved for Optional Use Judicial Council of California MC-025 [Rev. July 1, 2009]



PLD-PI-0	

					L C.DL 1-00 I (2)
SHORT TITLE: RUCKMAN, CO., et al.	et al.	v. BIG N	DEEP AG	DEVELOPMENT	CASE NUMBER: BCV-15-101699-SPC
First	CA	USE OF A	CTION—G	eneral Negligence	Page 5

(Use a separate cause of action form for each cause of action.)

ATTACHMENT TO X Complaint Cross - Complaint

GN-1. Plaintiff (name): GLORIA RUCKMAN, ROBERT RUCKMAN, ROBERT RUCKMAN, a minor by and through his guardian ad litern, ROBERT RUCKMAN, AMALIA LEAL, and GILDARDO LEAL alleges that defendant (name): BIG N DEEP AG DEVELOPMENT CO., JEFF ALEXANDER FARMING, JEFFREY ALEXANDER, individually, PACIFIC GAS AND ELECTRIC COMPANY, AG-WISE ENTERPRISES, INC., WILDWOOD FARMS, LLC., and

X Does 1 to 100, inclusive.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff on (date): November 13, 2015 at (place): or near 12711 Wible Road and Houghton Road south of Bakersfield, California. (description of reasons for liability):

Plaintiffs incorporate and reallege the first four pages of said complaint as if fully alleged herein.

At the time of the incident Defendants Big N Deep Ag Development Co., Jeff Alexander Farming, and Jeffrey Alexander, individually, (hereinafter referred to as "BDADC DEFENDANTS") and Does 1 to 100, inclusive, owned, operated, and/or controlled the tractor operated by the their employee to excavate the soil in the area transmission line 300 A at or near Wible and Houghton Road, south of Bakersfield, California, in the near vicinity of 12711 Wible Road.

BEADC DEFENDANTS allowed and/or instructed its employee to excavate the soil with their tractor with an expired permit, knowing their permit was expired, and/or should have known that its permit was expired for the area of Wible and Houghton Road south of Bakersfield, California, in the near vicinity of 12711 Wible Road. At said time, BDADC DEFENDANTS' employee hit the gas pipeline, causing it to explode at the above location.

Further, BDADC DEFENDANTS allowed and/or instructed its employee to excavate the soil with their tractor in the area of Wible and Houghton Road south of Bakersfield, California, in the near vicinity of 12711 Wible Road without first notifying and/or calling "811," Underground Service Alert (USA), or Defendant Pacific Gas & Electric Company (hereinafter referred to as "PG&E") while knowing and/or should have known that a gas pipeline was located underground in said location. Furthermore, BDADC DEFENDANTS while conducting the same activity hit the same gas pipeline near the same location about 13 months before the incident at issue.

BDADC DEFENDANTS had a legal duty to Plaintiffs, as foreseeable victims, to exercise the utmost care and diligence in operating its tractor to excavate soil in said location.

BEADC DEFENDANTS breached that duty by failing to exercise care when it allowed and/or instructed its employee to excavate the soil with the use of their tractor in said location without first obtaining a valid permit, knew that its permit for said location was expired, and/or should have known its permit for said location was expired.

BDADC DEFENDANTS' breach was a legal and proximate cause of the injuries and damages suffered by Plaintiffs, as set forth above and below.

Page 1 of 1

Code of Civil Procedure 425.12

Form Approved for Optional Use Judicial Council of Catifornia PLD:P1-001(2) [Rev. January 1, 2007]

CAUSE OF ACTION—General Negligence









SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG DEVELOPMENT CO., et al.

CASE NUMBER

BCV--15-101699

ATTACHMENT (Number): GN-1

(This Altachment may be used with any Judicial Council form.)

Plaintiffs reallege and incorporate the first five pages of said complaint by reference as if fully alleged herein.

Prior to the incident, DEFENDANT AG-WISE ENTERPRISES, INC. (hereinafter referred to as "AG-WISE") and Does 1 to 100, inclusive, hired, controlled, retained, entrusted, permitted, authorized, allowed, directed, ordered, and/or instructed BDADC DEFENDANTS to excavate the soil in the aforementioned location that caused the gas pipeline to explode.

Prior to the incident, DEFENDANT WILDWOOD FARMS LLC., (hereinafter referred to as "Wildwood") and Does 1 to 100, inclusive, hired, controlled, retained, entrusted, permitted, authorized, allowed, directed, ordered, and/or instructed BDADC DEFENDANTS to excavate the soil in the aforementioned location that caused the gas pipeline to explode.

At all times mentioned herein, DEFENDANTS AG-WISE, Wildwood, and DOES 1 to 100, inclusive, and each of them, negligently and/or carclessly, hired, controlled, retained, entrusted, permitted, authorized, allowed, directed, ordered, and/or instructed BDADC DEFENDANTS to excavate the soil in the aformentioned focation, while knowing and/or should have known that BDADC DEFENDANTS did not have a current permit, that BDADC DEFENDANTS' and DOES 1 to 100, inclusive, and each of them, permit in the aforementioned location was expired, and/or knew or should have known that BDADC DEFENDANTS were not competent in the excavation process based on the October 2014 Incident where the BDADC DEFENDANTS struck the same pipeline and prior Cal-Osha citations where the BDADC DEFENDANTS were cited for not following the rules and regulations for the excavation process.

DEFENDANT AG-WISE, Wildwood Farms Lie, and DOES 1 to 100, inclusive, and each of them, had a legal duty to Plaintiffs, as foresceable victims, to exercise the utmost care and diligence in hiring, controlling, retaining, entrusting, permitting, authorizing, allowing, directing, ordering, and/or instructing BDADC DEFENDANTS to excavate the soil in the aformentioned location

DEFENDANT AG-WISE, Wildwood Farms Llc., and DOES t to 100, inclusive, and each of them, breached that duty by failing to exercise care when it hired, controlled, retained, entrusted, permitted, authorized, allowed, directed, ordered, and/or instructed BDADC DEFENDANTS and DOES 1 to 100, inclusive, and each of them, to excavate the soil in the aforementioned location that caused the gas pipeline to explode, while knowing and/or should have known that BDADC DEFENDANTS did not have a current permit and/or that BDADC DEFENDANTS' permit in the aforementioned location was expired.

DEFENDANT AG-WISE'S and DOES 1 to 100, inclusive, breach was a legal and proximate cause of the injuries and damages suffered by Plaintiffs, as set forth above and below.

Prior to the incident, DEFENDANT PACIFIC GAS AND ELECTRIC COMPANY (hereinafter referred to as "PG&E") and Does 1 to 100, inclusive, owned, operated, controlled, managed, leased, lagned, borrowed, bailed, and/or maintained the approximately 34 inch gas line that traveled underground and near the Ruckman Plaintiffs' home and exploded on November 13, 2015, as described above.

DEFENDANT PO&E had a legal duty to Plaintiffs, as foreseeable victims, to exercise the utmost care and diligence in maintaining and operating said gas line.

DEFENDANT PORE breached that duty by failing to exercise care in its operation and maintenance of said gas line, including, but not limited to, failing to move the gas line to a more sparsely populated area, failing to properly inspect the gas line, failing to properly maintain the gas line, failing to perperly repair the gas line, failing to properly place the gas line at a safe depth, failing to properly mark the gas line, and/or failing to comply with applicable safety standards.

DEFENDANT POLES breach was the legal and proximate cause of the injuries and damages suffered by Plaintiffs, as set forth above and below

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

(Add pages as required)

Form Approved for Optional Use HC-025 [Rev. July 1, 2009]









SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG

DEVELOPMENT CO., et al.

CASE NUMBER:

BCV-15-101699

ATTACHMENT (Number): GN-1

(This Attachment may be used with any Judicial Council form.)

As a direct and legal result of DEFENDANTS' negligence, Plaintiffs Cloriz Ruckman, minor infant Robert Ruckman, and Amalia Leal were trapped inside Plaintiff Ruckman's house when the gas pipeline exploded. The explosion caused the entire house caught fire including the surrounding property, including but not limited to the mees, cars, sence, animals, and/or utility lines. The explosion destroyed the entire house and property of the Plaintiffs Cloria and Robert Ruckman and minor infant Plaintiff Robert Elias Ruckman, depriving them of the use of said property and semimental value.

As exygen continued to get sucked out of the house, Plaintiffs Gloria Ruckman, minor infant Robert Ruckman, and Amalia Leal found a way to escape the burning residence. While escaping the burning residence, Plaintiffs Gloria Ruckman and Amalia Leal were forced to walk and run over 100 yards surrounded by the fire and radiant heat while Plaintiff Gloria Ruckman carried her 17 day old infant, Plaintiff, Robert Elias Ruckman. The fire and radiant heat caused serious burn injuries to Plaintiff Gloria Ruckman's body and Plaintiff Amalia Leal's body, including but not limited to their heads, legs, arms, and backs.

As Plaintiff Gloria Ruckman continued to walk carrying her 17 day old infant, Plaintiff Robert Elias Ruckman, Gloria Ruckman's mother Plaintiff Amalia Leal watched blisters form all over her back.

As a result of the incident, Plaintiffs Gloria Ruckman, her one month old infant Robert Elias Ruckman, and Amalia Leal suffered severe personal injuries. Plaintiffs have incurred and continue to incur hospital and medical expenses and general damages, said amounts to be proven at trial.

Furthermore, the negligence on the part of the DEFENDANTS, and each of them, is not limited to those negligent acts and/or omissions described above, but also includes the negligent hiring, relaining, appointing, selecting, training, and/or supervising of those persons responsible for the aforementioned acts and/or omissions.

At all times mentioned herein, Plaintiff Glorin Ruckman was und is the lawful spouse of Plaintiff Robert Ruckman, and performed all the duties of a wife. As a direct result of the injuries sustained from gas pipeline explosion. Plaintiff Gloria Ruckman, has been unable to perform some of the duties thereby depriving Plaintiff, Robert Eugene Ruckman of spousal consortium.

At the time of the incident, Plaintiff, Robert Elias Ruckman was their one mouth infant son. Furthermore, as a direct and legal result of DEFENDANTS' negligence, and each and all of them, Plaintiff Gloria Ruckman and her minor infant Plaintiff Robert Elias Ruckman have been separated due to the severity of injuries and burns of Plaintiff Gloria Ruckman. As a result of DEFENDANTS' negligence, and each and all of them, the minor infant Plaintiff Robert Elias Ruckman, has been denied the care, companionship, and services of his mother, Plaintiff Gloria Ruckman. At the time of the incident, Plaintiff Gloria Ruckman was breastfeeding her infant son, eare, companionship, and services of his mother, Plaintiff Gloria Ruckman can no longer do so resulting in the lack of nutrition and care of her infant son. Plaintiff Robert Elias Ruckman,

At all times mentioned herein, Plaintiff Amalia Leal was and is the lawful spouse of Plaintiff Gildardo Leal, and performed all the duties of a wife. As a direct result of the injuries sustained from gas pipeline explosion, Plaintiff Amalia Leal, has been unable to perform some of the duties thereby depriving Plaintiff, Gildardo Leal of spousal consortium.

Additionally, the wrongful acts of Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC were done maliciously, oppressively, fraudulently, and in conscious disregard of the safety and health of the community. Plaintiffs are entitled to punitive and exemplary damages in an amount to be ascertained according to proof, which is appropriate to punish or set an example of Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC. and deter such behavior in the future.

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(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of parjury.)

Page 7 of 11 (Add pages as required)

Form Approved for Optional Use Judicial Council of California MC-025 [Rev. July 1, 2009]





SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG DEVELOPMENT CO., et al.

CASE NUMBER

BCV-15-101699-SPC

ATTACHMENT (Number): GN-1

(This Attachment may be used with any Judicial Council form.)

Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC.'s acted in malice, oppression, fraud, and in a constous disregard of the safety and health of the community because Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC.'s knew there was an active and highly explosive gas line less than three feet below the surface, knew there was a high risk that any excavation or digging above this active and highly explosive gas line would come into contact and puncture this active gas line because it was less than three feet below the surface, and therby causing an explosion, and despite knowing these risks, Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC. did nothing to ensure the excavation and/or digging would not come into contact with the highly active gas line, and nor did Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC. attempt to shut off the highly active and explosive gas line before beginning the excavation and/or digging right up above it.

Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC.'s acted in malice, oppression, fraud, and in a consious disregard of the safety and health of the community because Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC.'s knew the operator of the excavator was not to excavate above the active gas line involved in the subject incident, knew the operator was not qualified to operate an excavator, and/or also knew the necessary permits were not obtained before the excavation occurred on the day of the incident.

Further, Defendants BDADC, were involved in a prior incident back in October 2014 where the same active gas line was pierced by Defendants BDADC, and as such Defendants BDADC were aware of the risks by hitting the active gas line before it started on the day of the subject incident. Yet, despite this knowledge Defendants BDADC did nothing to prevent, train, take precaution, and/or reduce this risk of piercing the highly explosive and active gas line in the subject incident, thereby acting in a further conscious disregard for the safety of the community, including but not limited to PLaintiffs.

Defendants PG&E and AG-WISE ENTERPRISES, INC.'s were aware of Defendants BDADC prior incidents, including but not limited to the October 2014 incident where Defendants BDADC hit and pierced the same active gas line, Defendants PG&E and AG-WISE ENTERPRISES, INC.'s were aware of Defendants BDADC inadequate safety practices when excavating. Despite this knowledge, Defendants PG&E and AG-WISE ENTERPRISES, INC. allowed, permitted, authorized, employed, and/or contracted with Defendants BDADC to excavate above the highly explosive and active gas line involved in the subject incident. Defendants PG&E and AG-WISE ENTERPRISES, INC. did nothing to prevent Defendants BDADC from accessing and excavating above the highly explosive and active gas line, thereby acting in a further conscious disregard for the safety of the community, including but not limited to PLaintiffs.

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(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

(Add pages as required)

of <u>11</u>

Form Approved for Optional Use Judicial Council of Caldornia AIC-025 [Rev. July 1, 2009]







MC-025

SHORT TITLE: RUCKMAN, et al. v. BIG N DEEP AG - DEVELOPMENT CO., et al.

Case Number

BCV-15-101699

ATTACHMENT (Number): $\underline{SL-1}$ (This Attachment may be used with any Judicial Council form.)

SECOND CAUSE OF ACTION-STRICT LIABILITY

Plaintiffs reallege and incorporate by reference each and every allegation contained in the first eight pages of this complaint as though fully set forth herein. Defendants Wildwood and/or Ag-Wise owned, controlled, leased, maintained, occupied and/or rented the subject property, and as such Defendant Wildwood and/or Ag-Wise, knew or should have known there an active and highly explosive gas line less than 3 feet underneigh the active gas line, were taken to ensure the explosion unless special precautions, including but not limited to such as shutting off the active gas line and/or marking the active gas line, were taken to ensure the active and explosive gas line was not pierced resulting in an explosion. Defendants Wildwood and/or Ag-Wise knew and/should have reggnized that the excavation of their property was dangerous and was of a peculiar risk because of the active and explosive gas line, thereby posing an inherent risk of explosion harming and/or killing people, such as plaintiffs, destroying land and/or chattels, arising out the activity of excavating over an active and explosive gas line less than 3 feet below the surface, and as such should not have allowed this activity to occur on its property, owed a nondelegable duty and responsible for the dangerous condition and peculiar risk created.

Prior to the incident, Defendants Wildwood contracted with Defendant Ag-wise for the excavation of the subject property with the active and highly explosive gas line less than 3 feet below the surface. As such, a relationship between Defendant Wildwood, as the employer with Defendant Ag-Wise, as the contractor formed. Thereby making Defendant Wildwood vicariously liable for Defendants Ag-Wise wrongful conduct.

Prior to the incident, in addition or alternatively, Defendants Wildwood and/or Ag-Wise contracted with Defendants BDADC for the excavation of the subject property with the active and highly explosive gas line less than 3 feet below the surface. As such, a relationship between Defendant Wildwood, as the employer with Defendants BDADC, as the contractor formed. Thereby making Defendant Wildwood vicariously liable for Defendants BDADC. Additionally or alternatively, a relationship between Defendant Ag-Wise, as the employer and Defendants BDADC as the contractor formed. Thereby making Defendant Ag-Wise vicariously liable for Defendants BDADC.

DEFENDANTS, all and each of them, are strictly liable for the injuries to Plaintiffs because the excavation, digging, and/or "soil ripping" test than 3 feet above the active and explosive gas line conducted at the subject property was ultra hazardous and/or an abnormally dangerous activity and creating a dangerous condition as it includes a risk of serious harm to people and fund that cannot be eliminated by the exercise of due care and it is not an activity of common usage, and furthermore, it was known or should have known there was a gas line located below the surface of the property, and said gas line during the exeavation process caused an ultrahazardous activity because of the risk of explosion, as such Defendants and each of them created a high degree of risk of harm to the public, landowners, land, and chattel, such as Plaintiffs' real property and chattels.

Further, the activity in operating, controlling, managing, and/or maintaining the highly explosive approximately 34-inch gas line that traveled underground near the Ruckman Plaintiffs' home constitute an ultrahazardous and abnormally dangerous activity, as maintenance, management, and/or control of an unmarked gas line poses a serious risk of harm, regardless of the amount of care exercised.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.) Page 9 of 11 (Add pages as required)

Form Approved for Dollonal Use Judicial Council of California MC-025 [Rev. July 1, 2009]





SHORTTITLE: RUCKMAN, et al. v. BIG N DEEP AG - DEVELOPMENT CO., et al.

CASE NUMBER

BCV-15-101699

ATTACHMENT (Number): 5L-1

(This Attachment may be used with any Judicial Council form.)

Plaintiffs reallage and incorporate the previous nine pages set forth in this complaint as though fully set forth herein.

This act by Defendants, and each of them is not of a manner of common usage. The dangerous attributes of operating, controlling, managing, and/or maintaining the highly explosive approximately 34-inch gas line that traveled underground near the Ruckman Plaintiffs' home, outweigh the value of the activity. The act by the Defendants, and each of them, was inappropriate as to where this activity was located and/or conducted.

Further the activity of excavation, including but not limited to using, operating, maneuvering and/or activating excavation equipment, involves a high degree of risk of harm to people as exercising reasonable care would not eliminate the risk of harm, further the likelihood that the harm that results from said usage, operation, manuvering, and/or activity is great.

The excavation and/or digging right above an active and highly explosive gas line less than 3 feet below the surface done by Defendants, and each of them, is not of a manner of common usage. The dangerous attributes of excavation above an active and highly explosive gas line, including but not limited to operating, maneurvering and/or activating excavation equipment, outweigh the value of the activity. The act by the Defendants, and each of them, was inappropriate as to where this activity was located and/or conducted.

As a direct and proximate cause therof of the alleged acts herein by Defendants, and each of them, Plaintiffs have suffered severe personal injuries. Said amount of Plaintiffs' damages will be proven at the time of trial.

Additionally, the wrongful acts of this complaint of Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC. were done maliciously, oppressively, fraudulently, and in conscious disregard of the safety and health of the community, including but not limited to Plaintiffs, as set forth on page 8.

Based on the allegations set forth herein, plaintiffs are entitled to punitive and exemplary damages in an amount to be ascertained according to proof, which is appropriate to punish or set an example of Defendants BDADC, PG&E, and AG-WISE ENTERPRISES, INC. and deter such behavior in the future.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this

Page 10 of 11

(Add pages as required)

Form Approved for Optional Use Judicial Council of California MC-025 [Ray, July 1, 2009]

Attachment are made under penalty of perjury.)



PLD-PI-001(4) CASE NUMBER: BCV-15-101699-SPC Ability Page 11 damages to plaintiff, on the following premises in the following in the first ten pages of this complaint as though fully set S I TO 100, inclusive, negligently and correlessly rented, cated on 3623 Houghton Road, Bakersfield, CA 93313, as allow or less than the minimum amount of soil required to eluding, but not limited to, Personal Injury, Property Idelegable legal duty to Plaintiffs, as foreseeable victims, to owned, maintained, managed and operated LLC, AND
damages to plaintiff. on the following premises in the following in the first ten pages of this complaint as though fully set is 1 TO 100, inclusive, negligently and corelessly rented, cated on 3623 Houghton Road, Bakersfield, CA 93313, as allow or less than the minimum amount of soil required to cluding, but not limited to, Personal Injury, Property indetegable legal duty to Plaintiffs, as foresceable victims, to owned, maintained, managed and operated LLC, AND
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owned, maintained, managed and operated LLC, AND
LLC, AND
ion 846] The defendant owners who willfully us condition, use, structure, or activity were
a paying guest.
The defendants who owned public property
constructive notice of the existence of the njury to have corrected it. Ifendant public entity.
who were the agents and employees of the y were (names): WILDWOOD FARMS LLC, AND
easons and the reasons for their liability are (names):See Plaintiff's First ar



Superior Court of California County of Kern

Date:

02/06/2019

Time: 8:00 AM - 5:00 PM

BCV-15-101699-SDS

RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

Courtroom Staff

Honorable:

Stephen D. Schuett

Clerk:

K. Griffith

Court reporter:

None

Bailiff:

None

NATURE OF PROCEEDINGS: RULING

A Notice of Stay of Proceedings has been filed with the court.

The Court has received the Notice of Stay filed February 5, 2019, on behalf of Defendant, Pacific Gas & Electric Company.

The above action is stayed. The parties shall comply with CRC Rule 3.1650 at such time as the stay is lifted or no longer necessary.

The Court sets a Case Status Conference for August 14, 2019 at 8:15 am in Department 10.

A copy of this minute order mailed to all parties as stated on the attached certificate of mailing.

FUTURE HEARINGS:

August 14, 2019 8:15 AM Case Status Conference Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

BCV-15-101699

MINUTE ORDER FINALIZED BY:

Kasey Griffith

2/6/2019

Entered: 10/28/19 15:23:39 Page 29 Case: 19-30088 Doc# 4492 Filed: 10/28/19

RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO BCV-15-101699

CERTIFICATE OF MAILING

The undersigned, of said Kern County, certify: That I am a Deputy Clerk of the Superior Court of the State of California, in and for the County of Kern, that I am a citizen of the United States, over 18 years of age, I reside in or am employed in the County of Kern, and not a party to the within action, that I served the *Minute Order dated February 06, 2019* attached hereto on all interested parties and any respective counsel of record in the within action by depositing true copies thereof, enclosed in a sealed envelope(s) with postage fully prepaid and placed for collection and mailing on this date, following standard Court practices, in the United States mail at Bakersfield California addressed as indicated on the attached mailing list.

Date of Mailing:

February 06, 2019

Place of Mailing:

Bakersfield, CA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Tamarah Harber-Pickens CLERK OF THE SUPERIOR COURT

Date: February 06, 2019

By: Kasey Griffith, Deputy Clerk

MAILING LIST

DANIEL RODRIGUEZ
RODRIGUEZ & ASSOC
2020 EYE ST
BAKERSFIELD CA 93301

THEODORE W HOPPE HOPPE LAW GROUP 680 W SHAW AVE #207 FRESNO CA 93704

LARRY F PEAKE 2031 F STREET BAKERSFIELD CA 93301 ADAM JOSEPH BENKOSKI HOPPE LAW GROUP 680 W SHAW AVENUE STE 207 FRESNO CA 93704

DENNIS S ELLIS
PAUL HASTINGS LLP
515 S FLOWER ST 25FL
LOS ANGELES CA 900712228

DANIEL R BARADAT BARADAT & PABOOJIAM INC 720 W ALLUVIAL AVE FRESNO CA 93711

Certificate of Mailing

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO BCV-15-101699

ARNOLDO BARBA LIMNEXUS LLP 707 WILSHIRE BLVD 46TH FLOOR LOS ANGELES CA 90017 STEVEN M MC QUILLAN MCCORMICK BARSTOW 7647 N FRESNO STREET FRESNO CA 93720

CAROLYN L TAN DEWITT ALGORRI ALGORRI 25 E UNION ST PASADENA CA 91103 NATHAN ROSS HURD 1260 CORONA POINTE COURT SUITE 306 CORONA CA 92879

DANIEL T CLIFFORD
CLIFFORD & BROWN
1430 TRUXTUN AVE #900
BAKERSFIELD CA 93301

CHANTAL A TRUJILLO
RODRIGUEZ & ASSOC
2020 EYE ST
BAKERSFIELD CA 93301

ERIC O IBISI 3600 WILSHIRE BLVD STE 332 LOS ANGELES CA 90010-2607 CHRISTOPHER J HAGAN 2031 F STREET BAKERSFIELD CA 93301

JAMES M BARATTA
GRANT GENOVESE & BARATTA LLP
2030 MAIN ST #1600
IRVINE CA 92614

Fifth District Court of Appeal 2424 Ventura ST Fresno CA 93721

3

Certificate of Mailing

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Superior Court of California County of Kern Bakersfield Department 10

Hearing Date:

09/04/2018

Time: 8:15 AM - 12:15 PM

RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

BCV-15-101699

Honorable:

Stephen D. Schuett

Clerk:

Linda M. Krolnik

Court Reporter:

Rubi Michaca

Bailiff:

Deputy Sheriff

Language Of:

PARTIES:

Interpreter:

AG-WISE ENTERPRISES, INC., Defendant, not present

AG-WISE ENTERPRISES, INC., Cross Complainant,

not present

AG-WISE ENTERPRISES, INC., Defendant, not

present

AG-WISE ENTERPRISES, INC., Cross Complainant,

not present

AG-WISE ENTERPRISES, INC., Defendant, not AG-WISE ENTERPRISES, INC., A CALIFORNIA CORPORATION, Cross Defendant, not present

AG-WISE, ENTERPIRSES, INC., Cross

Complainant, not present

AMALIA LEAL, Plaintiff, not present

BIG N DEEP AG DEVELOPMENT CO., Defendant,

not present

BIG N DEEP AG DEVELOPMENT CO., Cross

Defendant, not present

BOBBY E. OJEDA, MINOR, BY GUARDIAN AD LITEM, TAMMY ALMANZA, Plaintiff, not present

Bridget Ojeda, Plaintiff, not present

Bridget Ojeda, Guardian Ad Litem, not present

BRIDGET OJEDA, Plaintiff, not present

CASSANDRA E. OJEDA, MINOR, BY GUARDIAN AD LITEM, TAMMY ALMANZA, Plaintiff, not

present

GILDARDO LEAL, Plaintiff, not present GLORIA RUCKMAN, Plaintiff, not present JEFF ALEXANDER FARMING, Defendant, not

present

LARRY PEAKE, Attorney, not present

LARRY PEAKE, Attorney, not present

LARRY PEAKE, Attorney, not present

LARRY PEAKE, Attorney, not present

LARRY PEAKE, Attorney, not present LARRY PEAKE, Attorney, not present

LARRY PEAKE, Attorney, not present

DANIEL RODRIGUEZ, Attorney, not present THEODORE HOPPE, Attorney, not present

THEODORE HOPPE, Attorney, not present

DANIEL BARADAT, Attorney, not present

CAROLYN TAN, Attorney, not present ERIC IBISI, Attorney, not present ERIC IBISI, Attorney, not present DANIEL BARADAT, Attorney, not present

DANIEL RODRIGUEZ, Attorney, not present DANIEL RODRIGUEZ, Attorney, not present THEODORE HOPPE, Attorney, not present

MINUTE ORDER

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

BCV-15-101699

Case: 19-30088 Doc# 4492 Filed: 10/28/19

ADAM BENKOSKI, Attorney, not present JEFF ALEXANDER FARMING, Cross Complainant, not present THEODORE HOPPE, Attorney, not present JEFF ALEXANDER, DBA BIG N DEEP AGRICULTURAL DEVELOPENT AND JEFF ALEXANDER FARMING, Cross Defendant, not present ADAM BENKOSKI, Attorney, not present JEFF ALEXANDER, DBA BIG N DEEP AGRICULTURAL DEVELOPMENT, Cross Complainant, not present JEFFREY ALEXANDER, Defendant, not present THEODORE HOPPE, Attorney, not present Joseph Ojeda, Plaintiff, not present CAROLYN TAN, Attorney, not present JOSEPH OJEDA, Plaintiff, not present ERIC IBISI, Attorney, not present OASIS TURF, LLC, Defendant, not present STEVEN MC QUILLAN, Attorney, not present OASIS TURF, LLC, A CALIFONIA LIMITED LIABILITY COMPANY, Cross Defendant, not present OASIS TURF, LLC, A CALIFORNIA LIMITED STEVEN MC QUILLAN, Attorney, not present LIABILITY COMPANY, Defendant, not present STEVEN MC QUILLAN, Attorney, not present OASIS TURF, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, Cross Defendant, not present DENNIS ELLIS, Attorney, not present PACIFIC GAS & ELECTRIC COMPANY, Defendant, not present PACIFIC GAS & ELECTRIC COMPANY, Defendant, DENNIS ELLIS, Attorney, not present not present PACIFIC GAS & ELECTRIC COMPANY, A DENNIS ELLIS, Attorney, not present CALIFORNIA CORPORATION, Cross Complainant, not present PACIFIC GAS AND ELECTRIC COMPANY, DENNIS ELLIS, Attorney, not present Defendant, not present DENNIS ELLIS, Attorney, not present PACIFIC GAS AND ELECTRIC COMPANY, Cross Defendant, not present PACIFIC GAS AND ELECTRIC COMPANY, Cross DENNIS ELLIS, Attorney, not present Defendant, not present ARNOLDO BARBA, Attorney, not present PACIFIC GAS AND ELECTRIC COMPANY, Cross Defendant, not present DANIEL RODRIGUEZ, Attorney, not present ROBERT RUCKMAN, Plaintiff, not present ROBERT RUCKMAN, Guardian Ad Litem, not DANIEL RODRIGUEZ, Attorney, not present present DANIEL RODRIGUEZ, Attorney, not present ROBERT RUCKMAN, A MINOR BY AND THROUGH HIS GUARDIAN AD LITEM, ROBERT RUCKMAN, Plaintiff, not present DANIEL BARADAT, Attorney, not present TAMMY ALMANZA, Guardian Ad Litem, not present WILDWOOD FARMS LLC, Defendant, not present DANIEL CLIFFORD, Attorney, not present DANIEL CLIFFORD, Attorney, not present WILDWOOD FARMS LLC, Defendant, not present WILDWOOD FARMS, LLC, Defendant, not

MINUTE ORDER

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

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present

WILDWOOD FARMS, LLC, A LIMITED LIABILITY

DANIEL CLIFFORD, Attorney, not present

COMPANY, Cross Complainant, not present

Appearance telephonically by CourtCall by Steven M. McQuillan, on behalf of Defendant OASIS TURF LLC, Appearance telephonically by CourtCall by Thomas Moran, on behalf of Defendant AG wise, Appearance telephonically by CourtCall by Tun Jakahuab, on behalf of Defendant Attorney Chantal Trujillo Appears on behalf of the Plaintiff's

Attorney Nichoals Beagis appears on behalf of the Defendant PG&E.

Attorney Daniel Root appears on behalf of the Defendant- Wildwood Farms.

Appearance telephonically by CourtCall by Kevin Bruce Kalajian on behalf of Plaintiff-Ruckman Appearance telephonically by CourtCall by Barbara Rueger, on behalf of Defendant -Big N Deep Ag

NATURE OF PROCEEDINGS: FURTHER CASE MANAGEMENT CONFERENCE

Hearing Start Time: 8:15 AM

The above entitled cause came on regularly on this date and time with parties and/or counsel appearing as reflected above.

- The Court makes the following findings and orders:

Jury trial requested by all parties.

Jury Trial Set on 06/17/19 at 9:00 a.m. in Department/Division 10

Final Case Management Conference set on 06/07/19 at 1:30 p.m in Department 10, Counsel to file pre-trial documents pursuant to Court Local Rule 3.9.

Mandatory Settlement Conference set: 05/17/19 at 10:00 a.m in Department 11

Mediation may be pursued upon mutual agreement of counsel through market resources. Recommended to be completed by 05/03/19

Time estimate: 30 days.

Notice to issue from court

MINUTE ORDER

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

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FUTURE HEARINGS:

September 24, 2018 8:30 AM Motion for Summary Adjudication Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

September 24, 2018 8:30 AM Motion for Summary Judgment Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

September 24, 2018 8:30 AM Motion for Summary Judgment Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

September 24, 2018 8:30 AM Motion for Summary Judgment Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

May 17, 2019 10:00 AM Mandatory Settlement Conference Lampe, David R. **Bakersfield Department 11** Sheriff, Deputy

June 07, 2019 1:30 PM Final Case Management Conference Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

June 17, 2019 9:00 AM Jury Trial Schuett, Stephen D. **Bakersfield Department 10** Sheriff, Deputy

MINUTE ORDER FINALIZED BY: LINDA KROLNIK

9/4/2018

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RUCKMAN VS BIG N DEEP AG DEVELOPMENT CO

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